

REMARKS

By this Amendment, Applicants propose to amend claims 23 and 93. Claims 1-13, 16-37, 40-61, 64-85, and 88-96 are currently pending in this application, of which claims 1, 25, 49, and 73 are independent. Reconsideration of the present application is respectfully requested in view of the following remarks.

In the Final Office Action mailed July 26, 2005 ("FOA")¹, claims 1-13, 16-37, 40-61, 64-85, and 88-96 were rejected under 35 U.S.C. §103(a) as unpatentable over U.S. Patent 6,553,410 to Kikinis ("*Kikinis*") in view of U.S. Patent 5,953,524 to Meng et al. ("*Meng*"). By this Amendment, Applicant amends claims 23 and 93 to correct typographical and other minor errors. Following this response, claims 1-13, 16-37, 40-61, 64-85, and 88-96 remain in this application. In view of the aforementioned amendments and the following remarks, Applicant respectfully traverses the Examiner's rejections of the claims under 35 U.S.C. § 103(a).

Rejection of Claims 1-13, 16-37, 40-61, 64-85, and 88-96 Under 35 U.S.C. § 103(a)

The Examiner rejected Claims 1-13, 16-37, 40-61, 64-85, and 88-96 under 35 U.S.C. § 103(a) as being upatentable over *Kikinis* in view of *Meng*. Applicant respectfully traverses this rejection.

To establish a prima facie case of obviousness, three basic criteria must be met. First, the prior art reference as modified must teach or suggest all the claim elements.

¹ The Office Action contains a number of statements reflecting characterizations of the related art and the claims. Regardless of whether any such statement is identified herein, Applicant declines to automatically subscribe to any statement or characterization in the Office Action.

(See M.P.E.P. § 2143.03 (8th ed. 2001)). Second, there must be some suggestion or motivation, either in the reference or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or combine the reference teachings. (See M.P.E.P. § 2143 (8th ed. 2001)). Third a reasonable expectation of success must exist. Moreover, each of these requirement must “be found in the prior art, and not be based on applicant’s disclosure.” (M.P.E.P. § 2143.03 (8th ed. 2001)).

Claim 25 is patentably distinguishable over the cited art in that claim 25 recites, for example, “modifying at least one reference to the remote server in the first unit of digital content to form a modified first unit of digital content by inserting a surrogate server hostname into the at least one reference and removing a remote server hostname from the at least one reference, wherein the surrogate server hostname is different from the remote server hostname.” Independent claims 1, 49, and 73 include similar recitations.

In contrast, *Kikinis* at least does not disclose the aforementioned recitation. For example, *Kikinis* discloses software at a proxy server that uses pre-stored characteristics of client devices to translate data from Internet resources, wherein the software uses special scripts for prefetching pages in real-time (*Kikinis* abstract). Even if the proxy server software in *Kikinis* provides a script to “link microphone in host with speaker in doll” with the doll acting as “a surrogate for the computer operator” (*Kikinis* col. 22, line 58-col. 23, line 2), *Kikinis* does not teach or suggest “modifying at least one reference to the remote server in the first unit of digital content to form a modified first unit of digital content by inserting a surrogate server hostname into the at least one reference and removing a remote server hostname from the at least one reference,

wherein the surrogate server hostname is different from the remote server hostname,” as recited in claim 25. Furthermore, the Examiner admitted that *Kikinis* does not describe “removing a remote server hostname from the at least one reference, wherein the surrogate server hostname is different from the remote server hostname” (FOA pg. 4 lines 7-9).

Applicant respectfully submits that *Meng* is not sufficient to overcome the deficiencies of *Kikinis*. For example, *Meng* merely discloses a multimedia application development system in which “[e]ven when a developer may specify a remote prototype, a ‘surrogate copy’ of the remote prototype is copied and stored in a reference page at compile-time” (*Meng* col. 14, lines 43-45). However, utilizing a surrogate copy of a remote prototype does not constitute “removing a remote server hostname from the at least one reference, wherein the surrogate server hostname is different from the remote server hostname,” as alleged by the Examiner (FOA pg. 4 lines 10-20). Therefore, *Meng* does not teach or suggest “modifying at least one reference to the remote server in the first unit of digital content to form a modified first unit of digital content by inserting a surrogate server hostname into the at least one reference and removing a remote server hostname from the at least one reference, wherein the surrogate server hostname is different from the remote server hostname,” as recited in claim 25.

Therefore, *Kikinis* in view of *Meng* fail to teach or suggest the claimed invention because the references, either taken individually or in combination, at least do not disclose the aforementioned recitation of claim 25. For at least this reason, a prima facie case of obviousness has not been established with respect to claim 25. Claims 1,

49, and 73 include similar recitations. Accordingly, independent claims 1, 25, 49, and 73 patentably distinguishes the present invention over the cited art, and Applicant respectfully requests withdrawal of this rejection of claims 1, 25, 49, and 73.

Dependent claims 2-13, 16-24, 26-37, 40-48, 50-61, 64-72, 74-85, and 88-96 are also allowable not only for the reasons stated above with regard to their respective allowable base claims 1, 25, 49, and 73, but also for their own additional features that distinguish them from *Kikinis* in view of *Meng*. Accordingly, Applicant respectfully requests withdrawal of this rejection of dependent claims 2-13, 16-24, 26-37, 40-48, 50-61, 64-72, 74-85, and 88-96.

Conclusion

Applicants respectfully request that this Amendment under 37 C.F.R. § 1.116 be entered by the Examiner, placing claims 1-13, 16-37, 40-61, 64-85, and 88-96 in condition for allowance. Applicants submit that the proposed amendments of claims 23 and 93 do not raise new issues or necessitate the undertaking of any additional search of the art by the Examiner, since all of the elements and their relationships claimed were either earlier claimed or inherent in the claims as examined. Therefore, this Amendment should allow for immediate action by the Examiner.

Furthermore, Applicants respectfully point out that the final action by the Examiner presented some new arguments as to the application of the art against Applicant's invention. It is respectfully submitted that the entering of the Amendment would allow the Applicants to reply to the final rejections and place the application in condition for allowance.

Finally, Applicants submit that the entry of the amendment would place the application in better form for appeal, should the Examiner dispute the patentability of the pending claims.

In view of the foregoing remarks, Applicants submit that the pending claims as amended, are neither anticipated nor rendered obvious in view of the prior art references cited against this application. Applicants therefore request the entry of this Amendment, the Examiner's reconsideration and reexamination of the application, and the timely allowance of the pending claims.


Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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